

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

MERRILL LYNCH BUSINESS	:	
FINANCIAL SERVICES, INC.,	:	
	:	
Plaintiff,	:	Hon. Dennis M. Cavanaugh
	:	
v.	:	
	:	
ARTHUR KUPPERMAN; E. ROSS	:	ORDER
BROWNE; PAULETTE KRELMAN,	:	
PGB INTERNATIONAL, LLC; and JP	:	Civil Action No. 06 - 4802 (DMC)
MORGAN CHASE BANK, N.A., <i>et al.</i> ,	:	
	:	
Defendants.	:	

This matter having come before the Court on motion by Plaintiff, Merrill Lynch Business Financial Services, for partial summary judgment and for certification of judgment as final; and cross motion by Defendant, JP Morgan Chase Bank, N.A., for partial summary judgment and for certification of judgment as final; and motion by Defendants PGB and Kupperman to dismiss Plaintiff's Complaint; and the Court having reviewed all submissions and having heard oral argument; and for the reasons stated in its Opinion issued on this day,

IT IS on this 6 day of August, 2007;

ORDERED that Defendant PGB's and Kupperman's motion to dismiss is **denied**; and it is further

ORDERED that Plaintiff Merrill Lynch Business Financial Services motion for partial summary judgment is **granted** as to Count Four of its Complaint; and it is further

ORDERED that Plaintiff Merrill Lynch Business Financial Services motion that the judgment be certified as final is **denied**; and it is further

ORDERED that Defendant JP Morgan Chase N.A.'s motion for partial summary judgment is **granted** as to Count One of its Complaint and **denied** as to Count Ten of its Complaint; and it is further

ORDERED that Defendant JP Morgan Chase N.A.'s motion for certification of the judgment as final is **denied**.

S/ Dennis M. Cavanaugh
Dennis M. Cavanaugh, U.S.D.J.

Orig: Clerk
cc: Counsel of Record
The Honorable Mark Falk, U.S.M.J.
File